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August 16, 2005

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Art Unit 1722

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application  
Application No. 10/716,827; Filed: November 20, 2003  
For: In-line Valve Gated Nozzle  
Inventors: BABIN *et al.*  
Our Ref: 2107.1830001/LEA

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. Form PTO/SB/08a citing two (2) references (US1 and FP1) (1 Page);
3. A copy of cited foreign document FP1; and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Linda E. Alcorn  
Attorney for Applicants  
Registration No. 39,588

LEA/lna  
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
**BABIN et al.**  
Appl. No.: 10/716,827  
Filed: November 20, 2003  
For: **In-line Valve Gated Nozzle**

Confirmation No.: 7179  
Art Unit: 1722  
Examiner: Heitbrink, Timothy W.  
Atty. Docket: 2107.1830001/LEA

**First Supplemental Information Disclosure Statement**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

6. English language abstracts are attached to each non-English language document to provide the relevance of the non-English language document(s) in accordance with 37 C.F.R. § 1.98(a)(3).

7. A Copy of document FP1 is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.

8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

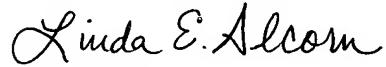
9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

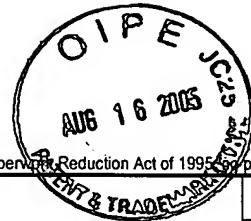


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Date: August 16, 2005

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Equivalent of Form PTO/SB/08A (07-05)

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| Substitute for form 1449/PTO                                                                                        |   |    |   | <b>Complete if Known</b> |                       |
| <b>FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b><br><i>(Use as many sheets as necessary)</i> |   |    |   | Application Number       | 10/716,827            |
|                                                                                                                     |   |    |   | Filing Date              | November 20, 2003     |
|                                                                                                                     |   |    |   | First Named Inventor     | Denis BABIN           |
|                                                                                                                     |   |    |   | Art Unit                 | 1722                  |
|                                                                                                                     |   |    |   | Examiner Name            | Heitbrink, Timothy W. |
| Sheet                                                                                                               | 1 | of | 1 | Attorney Docket Number   | 2107.1830001/LEA      |

| <b>U.S. PATENT DOCUMENTS</b> |                       |                                          |                  |                                                 |                                                                           |
|------------------------------|-----------------------|------------------------------------------|------------------|-------------------------------------------------|---------------------------------------------------------------------------|
| Examiner Initials*           | Cite No. <sup>1</sup> | Document Number                          | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                              |                       | Number-Kind Code <sup>2</sup> (if Known) | MM-DD-YYYY       |                                                 |                                                                           |
| US1                          |                       | 5,049,062                                | 09-17-1991       | Gellert                                         |                                                                           |
| US2                          |                       |                                          |                  |                                                 |                                                                           |
| US3                          |                       |                                          |                  |                                                 |                                                                           |
| US4                          |                       |                                          |                  |                                                 |                                                                           |
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| US19                         |                       |                                          |                  |                                                 |                                                                           |
| US20                         |                       |                                          |                  |                                                 |                                                                           |

| <b>FOREIGN PATENT DOCUMENTS</b> |                       |                                                                                 |                  |                                                 |                                                                           |
|---------------------------------|-----------------------|---------------------------------------------------------------------------------|------------------|-------------------------------------------------|---------------------------------------------------------------------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Foreign Patent Document                                                         | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                                 |                       | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) | MM-DD-YYYY       |                                                 |                                                                           |
|                                 | FP1                   | JP 2005041020 A                                                                 | 02-17-2005       | Ikegami Kanagata Kogyo KK                       |                                                                           |
|                                 | FP2                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP3                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP4                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP5                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP6                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP7                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP8                   |                                                                                 |                  |                                                 |                                                                           |
|                                 | FP9                   |                                                                                 |                  |                                                 |                                                                           |

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|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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